IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. 614 OF 1991

Mohan Meakin Limited .. Petitioners

Vs.

The Pravara Sahakari Sakhar Karkhana Ltd. .. Respondents

Mr. P.N. Karlekar i/by Purohit & Purohit for Petitioners.

Mr. Vijay Patil for Respondents.

CORAM: B.H. MARLAPALLE, J.

Date : July 25, 2005.

P.C.:

1. By the imugned order dated 20-3-1991 passed by the learned 5th Additional District Judge at Pune the trial of Civil Suit No.1 of 1989 was stayed. The said stay order was passed mainly because Civil Appeal No.2197 of 1988 arising from the dismissal of Civil Suit No.1844 of 1984 on the Original Side of this Court was pending. It is now pointed out that Civil Appeal No.2197 of 1988 has already been dismissed as withdrawn by the Apex Court vide order dated 13-9-1994.

2. In view of this development the challenge raised in this CRA does not survive any further. Under the circumstances, this CRA does not survive any further and in any case the present petitioners are required to point out this development to the court below so that the impugned stay order of the said proceedings would not come in its way.

3. The Civil Revision Application dismissed as infructuous and the petitioners are at liberty to apply to the court below to proceed with the trial of the Civil Suit No.1 of 1989 on the basis of the order passed by the apex court. Rule discharged. No costs.

(B.H. Marlapalle,J.)